



Fall 2012



Do you recognize this courthouse?

See answer on page 9.



Spotlight on Region 1 Administrator Deb Green

State Court Administrative Office Regional Administrator Deb Green brings a rich and diverse set of skills and attributes to her work in Region I – the state's most densely populated region with a total of 7 counties, 62 courts and 268 judges. Deb is joined in SCAO's Region I office by Regional Management Assistant Esther Davis, Analysts Bob Randolph, Dian Gonyea and Don Harper, and Auditor Charlene McLemore.

Deb earned her stripes in the justice system by working various jobs, including her position

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From the Editors: A Message for the 2012 Judicial Conference

As we wrap up this issue of *Connections*, the 2012 Judicial Conference is just around the corner. The conference theme, "Sharing Our Successes," reflects this conference's focus on performance measures, and on the courts that have used them to improve public service, transparency, and efficiency.

We like to think of *Connections* as a way for Michigan's judicial branch to share successes –and expertise. In this issue, Dan Dwyer, administrator for the Washtenaw County Circuit Court, tells us how his court uses surveys to assess customer satisfaction. SCAO Management Analyst Bobbi Morrow gives us an update on court-imposed costs in criminal cases. We hear from Domestic Relations Referee Stephanie Witucki about the 3rd Circuit's "Power Court." Maribeth Preston of Child Welfare Services and Jenelle Schneider of the Department of Human Services offer new information on AWOLP (Absent Without Legal Permission) dockets in foster child cases. And much more.

Since *Connections* debuted in fall 2008, our readership has grown; today, hundreds of judges, court staff, and others read each quarterly issue. Our contributors are the reason. All of us can learn from them.

Another goal is to introduce you to the people of the State Court Administrative Office and Supreme Court. In this issue, we meet Region I Administrator Deb Green; each issue of *Connections* profiles a different director or division – and how they can help you, the trial courts.

We hope that you enjoy this issue of *Connections*. Please contact us with suggestions for articles you'd like to see (or submit your own articles) at connections@courts.mi.gov. Help us make "sharing our successes" a permanent part of the Michigan justice system.

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Spotlight on Deb Green

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as an "itinerant" legal secretary in New Jersey, Pennsylvania, the Pacific Northwest, and Alaska. This success, she claims, stems from exceptional skills with an IBM Executive typewriter. Following her work as a legal secretary, Deb would reunite with her family in Flint and earn her J.D. from the Wayne State University School of Law.

Deb toiled in private law offices, both large and small, before becoming prosecuting attorney for the City of Allen Park. After six years of service, a change in the city's leadership would precipitate a career move into the world of court administration, as she became court administrator for Allen Park's 24th District Court. Though she readily admits to having less than a full understanding of what that job actually involved, Deb quickly learned that it struck a chord in her. Years later, after Deb lost a race for a seat on the bench of Woodhaven's 33rd District Court, her opponent, Judge Michael McNally, so respected Deb that he asked her to serve as that court's administrator. Deb accepted and enjoyed serving the 33rd District Court for five years before joining SCAO as regional administrator.

This is a difficult time for courts, in no small part because of the economy and cuts to local governments.

-Deb Green

Deb is just as creative and energetic privately as she is professionally. She was the first female member of the Grosse Ile Rotary Club, where she also holds the honor of being its only female president. Deb is active in the Grosse Isle Yacht Club and helped pioneer a kayaking group that paddles the Detroit River two evenings each month. A bass player in high school and college, Deb has conducted the bell choir at Grosse Ile Presbyterian Church and has performed in orchestras in various community theatres around central Pennsylvania.

Deb and her husband Alan, a former safety engineer at the Femi nuclear power plant on the shores of Lake Erie, are proud of their four children and four grandchildren. The family enjoys "down time" at a cottage in the Atlanta area, and at their vacation home on Mexico's Pacific coast.

Despite the many challenges that come her way, Deb thoroughly enjoys her position with SCAO. "This is a difficult time for courts, in no small part because of the economy and cuts to local governments," Deb observes. "For that very reason, our commitment to elevating public service and accountability could not be more needed, nor more timely." ■

Court's Customer Satisfaction Survey Yields Great Results — and Guidance

By Dan Dwyer, Court Administrator, Washtenaw County Circuit Court



In late 2010, the Washtenaw County Circuit Court began a concerted effort to improve our customer service while in the midst of a very significant structural reorganization. We removed the glass separating court staff and the customers at the customer service desk, and court staff began wearing nametags so that customers would know who was assisting them.

But what else could we do to improve customer service? How could we know whether and why we were succeeding? To answer those questions, Chief Judge Donald Shelton decided that we needed to measure the court's customer service performance.

With no room in the budget for such a project, we needed to find a way to measure customer service performance at little or no cost to the court. Fortunately, with the University of Michigan nearby, expert help was on hand. Professor Sue Savas, who specializes in measuring the success of social service programs, agreed to help. Working with Professor Savas and her graduate students, we developed a customer service survey in March 2012. Due to the extremely varied services we provide in different divisions of the court, we had to develop a survey that was generic enough to be applied to any service we provide, yet still focused on our core mission of quality customer service. We also had to keep the survey relatively simple given the varied educational levels of our many customers. Once finalized, we provided a hard copy of the survey to each customer who entered our building for a period of three weeks.

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Customer Satisfaction

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The 322 surveys we collected were tabulated and analyzed by Professor Savas and her students. Because an overwhelming majority of our customers are involuntary users, we knew there would be an inherent risk in measuring their responses to customer service satisfaction; people who do not choose to come to court would probably give negative responses to our survey because they were not happy to be there in the first place. So we were pleasantly surprised – no, make that *astounded* -- to get these results:

Service Quality - Overall

Question	% Agree + % Strongly Agree
Today, I was generally satisfied with the treatment I received by the trial court staff.	84.2%
The service or information provided was in a timely manner.	83.0%
Today, I was treated with courtesy and professionalism while at the trial court.	81.2%
The employee could not assist me, but was able to direct me to someone who could.	39.1%

The complete analysis can be found at <https://washtenawtrialcourt.ewashtenaw.org/general/CSurvey.pdf>.

The week after we received the results of the survey we incorporated the customer service survey tool into an online Survey Monkey account found on the front page of our website. We have also created two customer service computer kiosks in the courthouse that are solely for customers to complete the online survey. We monitor the electronic survey regularly for customer feedback, and we analyze the results twice a year to compare against our baseline data.

The entire process has focused our attention on providing high quality and respectful service to our customers. Our staff does an incredible job every day; it is nice to see their efforts recognized by the vast majority of those who use our court. More importantly, the results have helped us learn how to better serve our customers.

For more information regarding Washtenaw's customer service survey, please contact Dan Dwyer at dwyerd@ewashtenaw.org. ■

Constitution Day

Federal law requires schools to teach about the Constitution on or near September 17, the date the Constitution was signed in 1787. The U.S. Constitution embodies the United States' founding principles, including the rule of law. Constitution Day resources are available on the Michigan Supreme Court [Learning Center](#) web site. (Michigan has had four constitutions in 1835, 1850, 1908, and 1963.) For information about the State Constitution, visit the [Michigan Legislature](#).

Additional resources are available at uscourts.gov, the [Center for Civic Education](#), the [National Constitution Center](#), the [State Bar of Michigan](#), and [icivics](#). ■



Constitution Day at the Michigan Supreme Court Learning Center

Planning for a Court Reporter's Absence

By Denise Purves, Court Reporter/Recorder Program Coordinator

Michigan Court Rule 8.108 requires that all depositions and proceedings held in Michigan courts must be recorded by certified court reporters.* But employee vacations, retirements, and routine staff turnover may mean that a certified court reporter isn't always available. There are ways courts can, at least temporarily, cope with the absence of a certified reporter.

For example, MCR 8.108(G)(5) allows "[a] new reporter, recorder, operator, or voice writer" to receive one temporary certification so that he or she can work until the results of the examination have been released.

Protecting the integrity of the record is of chief concern. To that end, the Board of Review has established strict conditions to ensure that the temporarily certified person has had adequate training and supervision before he or she is allowed to record or prepare transcripts of proceedings.

A temporarily certified person who fails the exam may qualify for an extension of the temporary certification. An extension is not, however, automatically granted. The board takes several factors into consideration when determining whether to grant an extension, including the number and nature of errors on an applicant's examination.

All too often, when the board denies a temporary certification the court is put in the difficult position of not having a certified employee available to take the record. That is why the Court Reporting and Recording Board of Review urges courts to encourage their employees to obtain, at minimum, a CEO (Certified Electronic Operator) certification. While not certified to prepare or file transcripts, CEOs can record proceedings.

Through foresight and planning, courts can reduce the likelihood that they will lack qualified people to record court proceedings. ■

* Proceedings held pursuant to MCR 6.102 or 6.104, as well as proceedings recorded by means of videotape, are exempt from this requirement.



**Michigan Court Reporting
and Recording
Certification Program**

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Questions? Comments? Suggestions?

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Legal Assistance Center Provides Self-Help Resources in Kent County

By Kevin McKay, Court Administrator, 63rd District Court

Estimates are that 50 to 80 percent of the parties appearing in family law legal matters in Michigan are self-represented. This is rarely by choice; the cost of legal representation in civil matters is now beyond the reach of those of modest or even moderate means, and availability of free legal representation remains limited. Unprepared litigants absorb court resources and create challenges for clerks, judges, lawyers, and other court staff.



In Kent County, the Legal Assistance Center is there to help. With a few staff and trained volunteer law students, paralegal students, lawyers, and community volunteers, the center provides legal information, forms, referrals, and resources. Staff and volunteers do not give legal advice but do provide basic information about the law, court rules, and local court procedures. More than 80 percent of requests concern family law – divorce, custody, paternity, support, and parenting time. The remaining issues concern landlord tenant, consumer collections, garnishment, small claims, and basic probate.

A walk-in legal self-help center, the Legal Assistance Center is open to the public Tuesday through Friday. There are no criteria for service. The center will assist both parties in a case. Patrons are served on a first-come, first-served basis. A staff member or volunteer talks with each patron to assess the patron's needs and desired outcome, then provides the appropriate information, forms, resources, or referral. Patrons make their own decisions about how to proceed and what to include in the substance of any court filing. Some patrons come on their own to the center; many are referred by the Kent County clerk or other court staff.

The Legal Assistance Center offers complete packets with forms and instructions for divorce, custody, and paternity cases, and instructions to accompany many commonly filed motions. The center makes referrals to the Grand Rapids Bar Association's Lawyer Referral Service when patrons need advice or choose to seek representation. Patrons who qualify are referred to Legal Aid of Western Michigan and to the Access to Justice Clinic at Cooley Law School. Referrals are also made to nonlegal community agencies and resources.



The Legal Assistance Center is located in the Kent County Courthouse. Although patrons must navigate downtown Grand Rapids to reach the center, once in the courthouse they can go directly from the center to the clerk's office to file pleadings or review their file. Following hearings, parties can come to the center for assistance with reducing the judge's or referee's ruling to a written order. Notary and copy services are available, along with guidance on filing and service requirements.



In addition to serving the public, the Legal Assistance Center provides hands-on educational opportunities for law students and paralegal students, who volunteer, intern, or participate in work study. Students undergo both classroom and "on the job" training. Even when ready to help patrons, volunteers are always supervised and supported by experienced staff. Volunteers learn not only the substantive and procedural aspects of the law, but also the essential interpersonal skills of working with people challenged by legal issues and limited resources.

Since the Legal Assistance Center opened in 2002, the number of patrons has steadily increased; the center served nearly 16,000 patrons in 2011 and is projected to serve more than 17,000 in 2012. Most patrons are women and reside in Kent County. Over two-thirds have household incomes under \$20,000 per year and over half have a high school education or less.

The Legal Assistance Center is an independent 501(c)(3) nonprofit organization. Kent County provides a grant and office space. Patrons provide approximately 25 percent of the operational costs through the purchase of packets, none more than \$20, and a modest charge for copies. The remaining support comes from donations from lawyers, law firms, and the community.

To learn more about the Legal Assistance Center, visit www.legalassistancecenter.org or contact Executive Director Deborah Hughes at 616-632-6007 or deborah@legalassistancecenter.org. ■

Michigan Courts Setting the Standard

By Jill Booth, Trial Court Services Management Analyst

Michigan was honored recently by being invited to participate in a focus group meeting in Denver on criminal disposition reporting. Chad Canfield from the Michigan State Police, Kathy Ellis from the 12th District Court, and Jill Booth from the State Court Administrative Office attended the meeting. Representatives from six other states, the National Center for State Courts (NCSC), SEARCH, the FBI, and the Bureau of Justice Assistance also participated. The participants discussed business issues relating to criminal disposition reporting and potential solutions to those issues. Michigan was invited to participate because of how effective we are in criminal disposition reporting.

NCSC and SEARCH, the National Consortium for Justice Information and Statistics, were awarded a \$3.5 million grant from the Bureau of Justice Assistance to identify and address issues affecting the reporting of disposition and warrant information to state and national databases. In conjunction with this project, NCSC and SEARCH distributed two surveys to justice and public safety organizations in each state in the spring of 2011.

These surveys were designed to gather information that NCSC and SEARCH could use to:

- Ascertain the perceived scope and nature of problems related to warrant and disposition reporting.
- Identify common issues regarding warrant and disposition reporting that could potentially be addressed through some combination of technology, business process improvements, and legislative/policy changes.
- Identify common factors among states that are effective (or ineffective) in reporting dispositions and managing warrants.
- Identify states that are candidates for hosting pilot projects designed to improve the availability of arrest, disposition, and warrant information. Ten states were subsequently chosen to host pilot projects.

Information and materials arising from this effort will be combined with technical solutions and lessons learned from the state pilot projects to create a Warrant and Disposition "Toolkit" for use by courts, criminal history repositories, and other agencies affected by these processes to improve the reporting of criminal dispositions and arrest warrants from the courts to the state and national criminal history repositories. This should help all of the states not only improve their reporting performance, but also place critical information at the fingertips of law enforcement, prosecutors, judges, corrections officials, and other criminal justice practitioners.

The toolkit website, a work in progress, can be found at <http://www.wdmtoolkit.org/>. ■

Michigan Legal Help

Helping Michigan Residents Solve Their Legal Problems



The Solutions on Self Help Task Force is pleased to announce the public launch of the new statewide legal self-help website, **Michigan Legal Help** on August 17, 2012. Available at www.MichiganLegalHelp.org, this interactive website was built to help persons who are not able to afford a lawyer handle simple civil legal matters on their own. Content is currently available in the areas of consumer, family, protection orders, landlord/tenant, and expungement matters. The site also provides referrals to legal assistance and community services.

If you have questions, contact Project Director Angela Tripp at 734-998-6100 or trippa@lsscm.org. ■

“POWER” Court Provides Another Approach for Child Support Payers

By Stephanie Witucki, Domestic Relations Referee, Wayne County Friend of the Court

Parenting is expensive, taking both time and money. Often, parents ordered to pay child support to the other parent simply don't have the resources to provide either. Recognizing this, the Wayne County Circuit Court recently created the POWER (Providing Opportunities for Work, Education, and Respect) specialty docket for parents who are struggling to meet their child support obligations.

Participants work with POWER Court staff to break down the barriers – unemployment, substance abuse, mental illness, lack of education, and others – that interfere with the payer's ability to fully meet his or her support obligation. POWER Court offers a more therapeutic approach than traditional sanctions, such as jail time.

The POWER Court's goals include:

- Identifying and obtaining wrap-around social service resources,
- Increasing collaboration with local social service organizations,
- Removing economic barriers that prevent parents from taking a more active role in their children's lives,
- Improving public perception of the friend of the court through outreach and education in a less intimidating environment, and
- Increasing federal incentives by establishing regular payments and disbursements on cases with little or no prior payment history.

Most participants referred to POWER Court come from the child support enforcement dockets, while the rest come from cases where court orders are just being established. Participation is voluntary. After the initial hearing before the POWER Court referee, the participant meets with a caseworker to assess the parent's needs and barriers to paying support. The referee then creates an individualized action plan with reasonable goals, including a review hearing date, good faith payments toward monthly child support obligations, and referrals to appropriate community service providers. Where appropriate, the referee will refer for review and modification of the current monthly support obligation. Frequent review hearings and regular follow-up from the caseworker help participants stay on track to meet their goals. Participants stay in the program for a maximum of one year.

Community service providers are essential to the participant's success. POWER Court staff has direct contacts with each agency and maintains good working relationships with them. The service providers support the program and are dedicated to assisting the participants.

Every six months POWER Court holds a graduation ceremony, which follows the participant's final POWER Court review hearing. Each graduate receives a certificate of completion; the community service providers who worked with the graduate are also recognized. Court staff provides cake to celebrate the occasion. It's always a proud moment for the graduates to hear about and reflect on all that they have accomplished while in the program.

POWER court has many success stories, some with generational impact. Working with a service provider to prepare his first-ever resume, one participant got his first job after two years of unemployment. He then helped his now-adult son work with the same service provider to obtain a GED. Another participant lost contact with his child and owed a significant child support arrearage. The participant got a job, began making regular child support payments via income withholding, and reconnected with the custodial parent, who consented to a parenting time schedule. POWER Court receives very positive feedback from the participants, who often say “I wish a program like this would have been around sooner!”



Judge Maria Oxholm presents Kenneth Jackson with his certificate while Stephanie Witucki looks on.

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POWER Court

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Since the July 2010 program launch, 234 cases have benefited from POWER Court. The program currently has 73 participants; one-third lack a high school diploma or GED and nearly half have criminal records. All participants are unemployed and unable to meet their monthly child support obligations. These participants are motivated to overcome significant barriers and turn their lives around. POWER court staff and community service providers support their efforts, reminding these parents that their children are depending on their success.

For more information, please contact Stephanie Witucki at Stephanie.witucki@3rdcc.org or 313-224-7828. ■

Court Imposed Costs . . . After *Sanders*

By Bobbi Morrow, Trial Court Services Management Analyst

A trial court may impose “any cost” at the time of sentencing, including court costs. MCL 769.1k(1)(b)(ii). But what can those court costs entail?

At issue in *People v Sanders*, ___N.W.2d___, 2012 WL 1949017 (Mich.App.,2012), was whether a trial court must engage in an exact calculation of the amount of court costs incurred before imposing those costs under the provision of MCL 769.1k(1)(b)(ii). In *Sanders*, the defendant pleaded guilty to a drug offense and was sentenced to prison, a \$100 fine, and \$1,000 in court costs, as well as a crime victim’s rights fee and state minimum costs. The defendant argued that the trial court abused its discretion in imposing the \$1,000 court costs because there was no factual basis for that amount. The Michigan Court of Appeals held that, while the trial court need not calculate the cost for each individual case, there must be some reasonable relationship between the cost imposed and the actual costs incurred by the trial court. The Court of Appeals reasoned that, had the legislature wanted to require a precise determination of costs, it could have certainly required it in the statute but the legislature seemed to have endorsed a “reasonable flat fee” approach.

Some courts have interpreted earlier cases, such as *People v Teasdale*¹, as a limitation on the court’s ability to assess certain court costs. In *Teasdale*, the trial court imposed costs that may have included a portion of the payroll for the police department, the rental value for one year of premises occupied by the vice squad in police headquarters, the cost of operation of a courtroom used in the case, and a portion of the salary of the prosecuting attorney. The Michigan Supreme Court concluded that assessed costs may not include “expenditures in connection with the maintenance and functioning of governmental agencies that must be borne by the public irrespective of specific violations of the law.”² It is important to note that the decision in *Teasdale* did not consider MCL 769.1k in its analysis, as the statute was not enacted before 1952.

So, just what can a court include in an assessment of court costs?

In an attempt to further clarify the holding in *Teasdale*, the Michigan Court of Appeals in *Sanders* held that MCL 769.1k does not prohibit the consideration of a court’s “overhead costs” in determining the court cost figure. The prohibition in *Teasdale* is inapplicable to the imposition of court costs under MCL 769.1k, the appellate court said. The Court of Appeals did, however, conclude that the trial court in *Sanders* needed a more concrete basis for the general \$1,000 cost figure. The appellate court remanded the matter, instructing the trial court to establish a factual basis for the reasonableness of the costs.

Trial courts do not need to provide an individual itemization of the cost incurred on each case. But when imposing a flat fee for court costs, the court should establish a factual basis for the fee’s reasonableness. Factors include the standard costs of processing and adjudicating cases in the court’s jurisdiction, overhead costs, and any other costs the court considered. ■

¹ 335 Mich 1 (1952)

² 335 Mich at 6

Supervised Community Service Gets Good Results for Juveniles

By The Honorable Thomas J. LaCross, Alpena County

Traditionally, juvenile courts often respond to delinquency or probation violations by sending young offenders to a juvenile facility for 14 days or less. Not only do these short-term placements cost money, but they are not very effective at keeping juveniles from offending again. That is why the 26th Circuit Family Division developed Supervised Community Service – a new program that not only saves the expense of short-term placements, but also has drastically reduced the delinquency rate in Alpena County.

Supervised Community Service is supervised by the Alpena County Sheriff's Department. Juveniles perform work detail on Monday, Wednesday, and Friday afternoons. Their work includes community projects (often agreed to by applicable labor unions), from shoveling snow to raking leaves. Participants wear yellow vests with the words "Juvenile Detainee" on the front and back.

According to Juvenile Probation Officer/Juvenile Drug Court Family Worker Sarah Benjamin, "Supervised Community Service is a great alternative to placement. The juveniles learn good work habits and get to have a role in the community by keeping it clean. And they also learn that they have to take responsibility for their actions."

We believe that the Supervised Community Service program, now in its second year, is contributing to the drastic reduction of the county's delinquency rates.

We have observed that some youth actually choose Supervised Community Service. It is often the last chance before they go to long-term placement. We think this program makes a real difference in these young people's lives.

We believe that the Supervised Community Service program, now in its second year, is contributing to the drastic reduction of the county's delinquency rates. The program teaches youths accountability. They understand that they have to report to a certain location, at a specific time, for a specific purpose, and that they have to perform to a certain standard. They also understand that supervised community service is a consequence of their delinquent behavior.

Elizabeth Skiba, Juvenile Probation Officer and Juvenile Drug Court Coordinator, said the program forces juveniles to invest in themselves. "Their job performance fulfills their probation requirement, and the job also teaches skills they will likely need for their first real job," she said. "Ultimately, we are shaping a child into a positive contributor to our society."

The program cost for the court is minimal, in that the Child Care Fund is used to pay approximately \$10,000 to the Alpena County Sheriff's Department in order to supervise the program. However, the benefits to the juvenile and the community are astounding.

For more information contact me at 989-354-9696 or lacrosst@alpenacounty.org. ■



Answer to courthouse location from page 1:
Alpena County Courthouse.

Sexting Can Mean Felony Charges for Teens

By Ashley Coneff, Trial Court Services Management Analyst

The term “sexting” – the act of sending sexually explicit messages or photographs, usually from one mobile phone to another – has become commonplace among teenagers. A 2008 survey by the National Campaign to Prevent Teen and Unplanned Pregnancy found that 20 percent of the surveyed teens, aged 13 to 19, electronically sent, or posted online, nude or seminude pictures or video of themselves.

To these teens, sexting may seem like a flirtatious or trivial act. But sexting can actually be the basis for serious felony charges, including child pornography. Courts are beginning to see such cases as sexting becomes more widespread.

Consider this typical sexting scenario:

Anne and Brad are both 17 years old and have been dating for one year. Anne trusts Brad and decides to text him a topless photo she took of herself with her cell phone. Brad loves Anne and would never share the picture with anyone, but does forward it to his home computer. The next day, Brad's buddy, Charlie, 16, borrows Brad's phone, discovers the topless photo of Anne and forwards it to himself. Charlie then decides to forward it to a few more of his buddies, all under 18.

Although Charlie is the obvious culprit, would it surprise you to learn that everyone in this scenario could be charged with at least one felony? Here's the list:

Manufacturing Child Pornography: The teen who takes a sexual photo of himself or herself. *(Felony carrying 20-year prison sentence and/or up to \$100,000 fine)*

Possessing Child Pornography: The teen who receives a sexual photo and keeps it on his or her phone or computer. This offense applies regardless of whether the teen is 18 years old. *(Felony carrying 4-year prison term and/or up to \$10,000 fine)*

Distributing Child Pornography: The teen who forwards the image he received to his friends. *(Felony carrying 7-year prison sentence and/or up to \$50,000 fine)*

Using a Computer During the Commission of a Crime: Many of today's cell phones could fall under the definition of “computer.” *(Felony carrying a maximum period of incarceration from 1-20 years)*

These very real penalties are combined with the requirement of registration on the Michigan Sex Offender Registry: a database for all sex offenders, including the most despicable and dangerous child rapists. Being included on the Sex Offender Registry is not only a social stigma, but also a barrier to many opportunities. Leaving aside the restrictions on where the teen can work or live in proximity to a school—how about applying to colleges or for jobs? Or even dating?

Last year, more than 21 states introduced bills or resolutions aimed at sexting. Many schools ban sexting, and for good reason! In addition to criminal charges, sexting can also lead to exploitation, bullying, and embarrassment, all of which could have lasting effects on teens.

As this trend continues to grow, courts will see more sexting-related felonies. Usually, courts must deal with the aftermath of this and other trends. But, you can help protect kids from themselves by spreading the word about the dangers and illegality of teen sexting.

For more information on the survey conducted by the National Campaign to Prevent Teen and Unplanned Pregnancy go to: http://www.thenationalcampaign.org/sextech/pdf/sextech_summary.pdf. ■



You can help protect kids from themselves by spreading the word about the dangers and illegality of teen sexting.

Technology, Collaboration Bring AWOLP Foster Youth Home

*By Maribeth Preston, Child Welfare Services
And Jenelle Schneider, Department of Human Services*

Foster care youth who run away from their out-of-home placements are considered “Absent Without Legal Permission”, or AWOLP. Courts have been reporting on AWOLP foster youth since 2002. Through local administrative order, each circuit court has established procedures for expediting and reviewing cases. Courts and county Department of Human Services offices have designated contacts to work with SCAO’s Child Welfare Services staff to resolve reporting issues. Since January 2009, reporting is done through the AWOLP web application in the Michigan Court Application Portal, allowing courts and DHS to work collaboratively to locate and protect children who are missing from foster care.



Left to Right: Jenelle Schneider, Maribeth Preston, Darla Brandon

But are you using the application to your full advantage?

Did you know:

- Case workers with access to the AWOLP web application do not have to format reports for AWOLP court review hearings. They can simply copy information entered in the SWSS system, paste it into the AWOLP web application, and click the “print” icon. Instant court report!
- With just a few key strokes, judges and referees can see the efforts that case workers have made to locate the missing youth. Court staff can also add information to the AWOLP application to update the case and that can aid case workers in their search efforts.
- Both court and DHS staff can use predefined reports to see the AWOLP history for a particular child and which LEIN listings will expire in 30 or 60 days. The reports also provide AWOLP statistics and trends by county, and information about current (or past) AWOLP incidents.
- Another report allows staff to ensure they have entered all of the required data. For example, did they check the appropriate box and provide the date the youth was located to remove the youth from the active case list?

Each circuit court administrator, or his/her designee, controls access to the password-protected AWOLP web application for court and DHS staff, including private agency staff. If you would like access, just e-mail that person a request. When you receive your username and password, contact Maribeth Preston (prestonm@courts.mi.gov or 517-373-8995) or Darla Brandon (brandond@courts.mi.gov or 517-373-8036) for training and any questions you have about the reports. Before you know it, you will be using the application like a pro – updating your location efforts, documenting contacts, never letting a LEIN expire, and wondering what to do with all the time you used to spend formatting reports!

Have a question about DHS policies and procedures? Contact DHS’ new AWOLP analyst, Jenelle Schneider (SchneiderJ@michigan.gov or 517-373-0334). Jenelle helps local DHS staff, courts, and national agencies to collaborate in locating missing youth. She tracks and monitors efforts to locate AWOLP youth, maintains the Child Locator website, and works with SCAO Child Welfare Services staff on behalf of AWOLP youth. We are all here to help you reach the best possible outcomes for AWOLP foster youth in your care. ■





Chief Justice Robert P. Young
at a previous Adoption Day.

November 20 is 10th Annual Michigan Adoption Day; Nominations Sought for Wright Lifetime Achievement Award

Courts across Michigan will celebrate the 10th Annual Michigan Adoption Day on November 20, 2012. Held each year on the Tuesday before Thanksgiving, Michigan Adoption Day is aimed at highlighting issues for children and youths in foster care, particularly their need for permanent, loving homes.

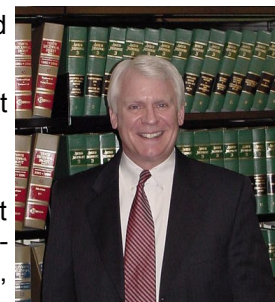
Most courts participate by holding adoption hearings, often opening them to the public. Other possibilities include holding an “adoption fair” with information for potential adoptive parents.

A special Adoption Day ceremony at the Michigan Hall of Justice will feature the presentation of the 2012 Daniel J. Wright Lifetime Achievement Award. This joint award of the Supreme Court and Department of Human Services was established in honor of the late Daniel J. Wright of Grand Ledge, an attorney and longtime leader in child support and child welfare reform.

To be eligible, a nominee must have 10 years or more experience in his or her field and must have a significant record of helping Michigan children and families.

More information about the Wright Award, and a nomination form, are available at <http://courts.michigan.gov/supremecourt/Press/WrightAwardNominations2012%20.pdf>. The deadline is September 28, 2012.

Courts planning on celebrating Michigan Adoption Day are encouraged to contact Court Relations Program Coordinator Barb Browne at browneb@courts.mi.gov or 517-373-0714. If you would like a Supreme Court justice to speak at your Adoption Day, please notify Barb as soon as possible. ■



Daniel J. Wright

Courts Save on Credit Card Processing Fees Through State Contract

By Mark Dobek, Director of Judicial Information Systems



Courts can see significant savings on credit card processing fees, thanks to a contract the state of Michigan entered into last year.

Under the state's contract with Elavon Corporation, there is a per-item processing fee of only \$0.057 for credit card transactions, including swipes, payments made over the phone, or web-based payments. Courts can take advantage of this program by entering into a joinder agreement with Elavon.

Over a dozen JIS courts are already using this program for their web ticket payment applications. These courts seamlessly converted their old Merchant Ids and accounts.

For more information, contact Mark Shapiro at Elavon: Mark.Shapiro@elavon.com or 732-332-0677. ■

Family Support Conference to Feature Friend of the Court Bureau

By Tim Cole, Friend of the Court Bureau Analyst

Members of SCAO's Friend of the Court Bureau will be among the presenters at the 2012 Michigan Family Support Conference, October 3-5 at the Boyne Highlands Resort in Harbor Springs. FOCB Director Steven D. Capps said that the FOCB is "honored to be part of this conference. It's our mission to help family support professionals in their demanding work."

Among the FOCB offerings:

Strategic Planning for the Michigan Child Support Program

DHS IV-D Director Marilyn Stephen, FOCB Director Steven Capps, and other Program Leadership Group members will provide an overview of the Michigan Child Support Program's strategic plan for 2013 through 2018.

Child Support Specialty Dockets

Steve Capps will discuss child support specialty courts in Michigan. Topics include case selection, case processing, services for families, and outcomes of these programs.

Innovative Child Support Collection Techniques

FOCB Analyst Bill Bartels will address innovative child support collection methods. Topics include court-ordered probation, friend of the court supervision of child support payers, and using technology to collect court-ordered child support.

Litigation and Social Media

FOCB Analyst Liz Stomski's workshop will examine the impact social media can have on court processes. Concepts such as using social media to locate parties and secure service will be discussed.

Prior Court Notification and Its Impact on Out of Home Placements

FOCB Analyst Dan Bauer will discuss MCR 3.205, "Prior and Subsequent Orders and Judgments Affecting Minors." This presentation will cover courts' and FOC offices' responsibilities for notifying other courts of FOC and family court proceedings.

Formula Changes; Tough Cases; New Uniform Support Order (USO); It's Okay to Deviate

Bill Bartels will summarize recent changes to the Child Support Formula that will take effect January 1, 2013. Bill will answer questions about difficult child support calculations and when it is appropriate to deviate. He will also update participants on recent changes to the Uniform Support Order.

Parenting Time Problems

FOCB Analyst Tim Cole's workshop will address parenting time issues, such as long distance parenting time, supervised parenting time, and when to use therapeutic parenting time. Tim will also discuss options for the FOC to enforce and adjust parenting time.

Using Measurements to Improve an FOC's Office Performance

Steve Capps and Dan Bauer will discuss how FOC offices can use data analysis to improve performance.

Using Technology in the Michigan Child Support Program

Liz Stomski will explore ways child support professionals and parties can use technology in the Michigan Child Support Program. Topics include parents using kiosks and FOC staff using Skype for joint meetings and interviews.

Analyzing Child Custody Factors

Tim Cole's workshop will focus on recent Michigan Supreme Court and Court of Appeals child custody and parenting time decisions. The presentation will address the impact these decisions will have on local FOCs and family courts.

Screening Friend of the Court Cases for Domestic Violence and Child Abuse

Tim Cole will discuss proper screening of FOC cases for child abuse, neglect, and domestic violence. The presentation will cover screening tools, such as the Domestic Violence and Child Abuse/Neglect Screening for Domestic Relations Mediation Model Screening Protocol.

For more information about the 2012 Michigan Family Support Conference, visit <http://mifsc.org/>. The deadline to register is due September 24, 2012. ■

“Justice Vision 20/20” Charts Course for Michigan’s Juvenile Justice System

By Ashley Coneff, Trial Court Services Management Analyst



A stronger, more effective juvenile justice system is the goal of Juvenile Justice Vision 20/20, a statewide group dedicated to reducing juvenile crime and helping juveniles become productive adults.

Ms. Sandi Metcalf, Director of Juvenile Services of the 20th Circuit Court, Family Division (Ottawa County), has been the driving force behind Juvenile Justice 20/20. She and other executive team members--Dr. Kathy Bailey (Grand Valley State University), John Evans (44th Circuit Court), Derek Hitchcock (Department of Human Services), Robert Nida (Barry County Trial Courts), Elizabeth Stomski (SCAO), Jennifer Warner (SCAO), and others--began meeting in July 2011. More than 100 other juvenile justice professionals have participated on projects and issues as their schedules allow. One of Juvenile Justice Vision 20/20's first projects was to develop a survey, which went to over 650 juvenile justice professionals. The survey results were used to identify trends and establish a mission, vision, core values, and objectives. From this, five strategic focus areas were identified, with a team was assigned to each. These teams, and their projects, include:

Unique Purpose of the Juvenile Courts

An adult corrections model does not meet the needs of young offenders. Unfortunately, while many advocated for better training and funding for juvenile justice, and for appropriate legislation, they lacked a coordinated voice. This team will help develop a statewide juvenile justice agenda, including legislation, and will advocate for the needs of juvenile offenders. This team is helping to develop the Institute for Juvenile Justice and is also charged with building public and legislative support for the core tenets of the juvenile justice system.

Effective Outcomes for Youth, Families and Communities

This strategic focus area addresses efficient and effective programming for youths. Risk and needs assessments help court staff tailor programs and treatment to each youth's needs, rather than taking a "cookie cutter" approach. This team is evaluating published risk/needs assessments and sharing their recommendations with the courts. Because statewide risk/needs assessment may help with data collection and evaluation, this team is also identifying areas of needed juvenile justice research and working on research partnerships with universities. The team is also working on a model continuum of care as a benchmark for all juvenile courts.

Juvenile Court Operational Performance

Juvenile justice data collection provides valuable feedback to the juvenile courts about their performance. Courts and their partner agencies can use data to qualify for the draw-down of federal and state dollars, and to promote their juvenile justice work with the legislature and the public. This team's goal is the creation of a centralized juvenile justice data collection system, which Michigan currently lacks. A centralized data system could save thousands, if not millions, of dollars by eliminating redundant data collections and making the results available to all courts. In addition to improving data collection, this team will help design and implement standardized performance measures for the juvenile courts.

Adequate and Sustainable Funding

Historically, the Child Care Fund has been the "bright spot" for juvenile justice in Michigan, providing consistent funding for services courts provide to young offenders and their families. However, more could be done to utilize and protect this funding stream -- for example, by using the Child Care Fund as incentive funding for innovation by the courts. This team advocates for the 75/25 Child Care Fund split. It will identify and educate juvenile justice advocates, and stakeholders, about funding issues and will also develop and share innovative funding strategies.

A Strong Juvenile Justice Workforce

Juvenile justice professionals need up-to-date training to address the ever-changing needs of youths and their families. Unfortunately, juvenile justice training is a weak area for Michigan. This team is developing a role-specific, cost-effective juvenile justice training curriculum. This training will be particularly important as many baby-boomer employees leave the juvenile justice system and are succeeded by less-experienced workers.

Each team has made remarkable progress on their projects. Ultimately, the outcome will be a stronger juvenile justice system in Michigan.

For more information or to get involved, contact Sandi Metcalf at smetcalf@miottawa.org or 616-786-4100. ■

COMMUNICATIONS 101

Cameras in the Courtroom

By Marcia McBrien

Public Information Officer, Michigan Supreme Court

Unlike federal courts, Michigan courts have long permitted cameras and recorders in the courtroom as part of media coverage. But journalists, especially those new to covering the courts, aren't always aware that they need to seek the court's permission for film or electronic coverage.

[Administrative Order 1989-1](#) provides that "Film or electronic media coverage shall be allowed upon request in all court proceedings," subject to certain limitations:

- Media must submit the request in writing to the clerk of the particular court "not less than three business days before the proceeding is scheduled to begin."
- Unless the judge orders otherwise, only two video cameras and two still cameras are allowed in the courtroom.
- Not more than one audio system for radio and/or television recording shall be permitted.
- The court shall provide for notifying the parties of the media request.
- No distractions, such as a flash for still cameras or noise from equipment.
- Shooting video or still photos must take place from a fixed location and be unobtrusive.
- Microphones are not permitted to pick up audio of attorney-client conversations, conversation among co-counsel, or conferences at the judge's bench.
- No film or electronic coverage of the jurors or jury selection process.
- Media must "dress and deport themselves in ways that will not detract from the proceedings."

In addition, the judge has the authority to limit or even exclude cameras and recorders to keep order in the courtroom and to ensure the fair administration of justice.

Note that AO 1989-1 gives the court discretion "to honor a request that does not comply" with the three-day notice provision. As a practical matter, reporters often don't learn about a court hearing until the day before or even minutes earlier. When appropriate, accommodate a request that falls short of the three-day requirement. Reporters will appreciate it.

It's also helpful to have the form "Request and Notice for Film and Electronic Media Coverage of Court Proceedings" on hand for media to fill out. You can find it at <http://courts.mi.gov/scao/courtforms/general/mc27.pdf>. ■

Marcia McBrien is an attorney and the Public Information Officer of the Michigan Supreme Court. Communications 101 is a regular feature of Connections. If you have a communications or public relations topic that you'd like to see in a future issue, e-mail Marcia at McBrienM@courts.mi.gov. You can also follow Marcia on Twitter at <http://twitter.com/CourtInfo>.

The Genuine Article: Writing for *Connections*

By Marcia McBrien, Public Information Officer, Michigan Supreme Court

Nathaniel Hawthorne, the 19th-century American author, once said that “Easy reading is damned hard writing.” He might have added, “Especially when writing short articles for publication.” Whether you’re instructing your readers in the fine points of raising prize dahlias or promoting your court’s newest program, the same basic principles apply:

1) **It’s all about them.** Many people approach writing an article as if it were a vehicle for self-promotion. Done skillfully, it can be – but the audience comes first. Any added glow to your reputation is a mere byproduct; keep your focus on your audience. Who are they? Why should they be interested in what you have to tell them? How can you present your topic most effectively? What does the audience need to know? What do they *not* need to know? Can photos or graphics help tell the story?

2) **What’s your lead?** The lead, or lede as it’s sometimes spelled, is usually the first line or paragraph in an article; a good lead quickly introduces the topic and interests readers enough to read further.

For an example of an effective lead, see Judge Elizabeth Pollard Hines’ article on pg. 7 of the [Summer 2011 issue of TCS Connections](#). Judge Hines opens with a rhetorical question and goals that will appeal to her chosen audience – what court wouldn’t want to reduce recidivism, etc.? – and then proposes Street Outreach Court as a vehicle to achieve those goals.

3) **You can’t be both the author and the source.** Yes, it’s nice to have a byline, and it’s also nice to be quoted. But when did you ever see a bylined article where the writer interviewed himself or herself? Quoting good sources – people with expertise or first-hand knowledge of your topic – lends authority to your article. You may be the best source on your topic. If so, have someone else interview you and write the article.

4) **Show, don’t tell.** This old adage, beloved of many generations of high school English teachers, is still true. Don’t waste the audience’s time telling them that your program is the most innovative, effective, and money-saving initiative on the planet. Instead, illustrate its successes – for example, with statistics, first-hand accounts, and studies. “In the first year alone, we saved \$X – three times as much as we invested in the program at the beginning.”

5) **Get to the point.** The inexperienced writer often engages in a lot of throat-clearing before introducing the actual topic – a common mistake referred to as “burying the lead.” So do not open your article with a sleep-inducing history of your organization or a lengthy discussion of the many committee meetings you held before finalizing your project. If you think the audience can benefit by reading about that process, introduce it later in the article – and keep it succinct.

“The committee concluded that good communication was critical to the program’s success, so we set up an online information center.” If you need to credit those involved, do so briefly and at or near the end of the article. “Special thanks to all who served on the task force, including”

6) **Know your publication.** Familiarize yourself with the publication’s standards and rules for submitting articles. For example, TCS *Connections* generally limits submissions to 500 – 750 words. Try to stick to the word limit. Also, know the publication schedule, including deadlines, and plan your submissions around that schedule. Some articles are less time-sensitive and so are appropriate for publications that come out on a monthly or quarterly basis; other articles need to be very timely to be relevant. Choose your target publication accordingly.

7) **No recycling.** Do not merely submit a press release, especially one you have already sent elsewhere; writing for publication is different than disseminating news. Also, do not recycle material that has already appeared in the same or another publication. If, for example, the *Detroit Legal News* has already published your article on your drug court program, but you still think the topic is of interest to *Connections* readers, find a fresh angle and rewrite the story. If you contribute regularly to the same publication, keep in mind that editors are not pleased when paragraphs five through seven of your latest submission are identical to paragraphs four through six of your article from last month’s issue.

8) **Get a fresh look.** Have someone else—ideally, two other people -- read your article before you submit it. And read it yourself with a critical eye. Do you have an interesting lead? Is the article clearly written and well organized? Do the quotes really support the points you want to make, or are they too general to be helpful? Ask your reviewers, “What can I do to improve this article?”

9) **Have your article proofed – by someone else.** Studies show that we tend to miss mistakes in documents that we have drafted, so have another person proofread. Headlines, bylines, and photo captions are often overlooked in proofreading, so be sure that your proofreader has reviewed them.

10) **Be open to change.** Once you submit your article, be prepared for it to be edited, with or without your input. TCS *Connections* editors will share suggested changes with you before finalizing your submission, but not all publications do this.

Take the time to craft a professional-quality article that will reflect well on you and your court. A last piece of advice: always read your target publication before writing the article. You’ll have a much better idea of the publication’s style and goals, and of how to write your article accordingly. ■